

MAYER, BROWN, ROWE & MAW LLP
EDWARD D. JOHNSON (SBN 189475)
Two Palo Alto Square, Suite 300
3000 El Camino Real
Palo Alto, CA 94306
Telephone: (650) 331-2000
Facsimile: (650) 331-4537
wjohnson@mayerbrownrowe.com

MAYER, BROWN, ROWE & MAW LLP
RICHARD J. FAVRETTA
1909 K Street, N.W.
Washington, D.C. 20006
Telephone: (202) 263-3000
Facsimile: (202) 263-3300
rfavretto@mayerbrownrowe.com

**Attorneys for Defendants
UNITED AIR LINES, INC.**

Additional Counsel Appear on Signature Page

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

NANCY J. ANDERSON,
on behalf of herself and all others
similarly situated,

Plaintiff.

V

UNITED AIR LINES, INC., BRITISH
AIRWAYS PLC, and VIRGIN
ATLANTIC AIRWAYS LIMITED.

Defendants.

CASE NO. CV 06-04139-CRB
STIPULATION AND [PROPOSED]
ORDER PURSUANT TO LOCAL
RULE 6-1 TO EXTEND TIME TO
RESPOND TO COMPLAINT

Pursuant to Local Rule 6-1, in light of the transfer motion now pending before the Judicial Panel on Multidistrict Litigation (“JPML”) captioned *In re International Air Transportation Surcharge Antitrust Litigation*, MDL Docket No. 1793, Plaintiff Nancy J. Anderson (“Plaintiff”) and Defendants United Air Lines, Inc., British Airways Plc, and Virgin Atlantic Airways Limited (collectively, the

1 "Defendants"), through their respective counsel, hereby stipulate and agree as
2 follows:

3 IT IS HEREBY STIPULATED AND AGREED that Defendants' time to
4 answer, move or otherwise plead is enlarged until the later of (1) the date when the
5 Defendants would otherwise be required to file a response pursuant to Federal Rule
6 of Civil Procedure 12, or (2) 45 days after the JPML rules on the pending motion
7 and consolidates each related action in a single court, and a consolidated complaint
8 is filed by all plaintiffs in the single transferee Court and served on Defendants.

9 IT IS FURTHER STIPULATED AND AGREED that each defense counsel
10 designated below shall accept service on behalf of the Defendant represented by
11 each such counsel of all complaints in the above-captioned matter, including any
12 amended or consolidated complaints, and further, that such Defendant shall not
13 contest sufficiency of process or service of process. This Stipulation does not
14 constitute a waiver of any other defense including, but not limited to, the defenses
15 of lack of personal or subject matter jurisdiction or improper venue. Nothing in
16 this paragraph shall obligate any Defendant to answer, move or otherwise respond
17 to any complaint until the time provided in the preceding paragraph. The above
18 notwithstanding, should any Defendant, except pursuant to court order, respond to
19 any complaint in a related matter filed in another United States District Court prior
20 to the date contemplated by this stipulation, then such Defendant shall make a
21 simultaneous response to the complaint in the above-captioned matter.

22 Respectfully submitted,

23 Dated: August 8, 2006

LAW OFFICE OF MICHAEL D. LIBERTY

24 /s/
25 Jeffrey T. Rizzo (SBN 239170)
Michael David Liberty (SBN 136088)
LAW OFFICE OF MICHAEL D. LIBERTY
26 1290 Howard Ave., Suite 303
Burlingame, CA 94010
T: (650) 685-8085
F: (650) 685-8086

Attorneys for Plaintiff Nancy J. Anderson
MAYER, BROWN, ROWE & MAW LLP

Dated: August 8, 2006

/s/
Edward D. Johnson (SBN 189475)
MAYER, BROWN, ROWE & MAW LLP
Two Palo Alto Square, Suite 300
3000 El Camino Real
Palo Alto, CA 94306
T: (650) 331-2000
F: (650) 331-4537

Richard J. Favretto
MAYER, BROWN, ROWE & MAW LLP
1909 K Street, NW
Washington, DC 20006

Attorneys for Defendant United Air Lines, Inc.
SULLIVAN & CROMWELL LLP

Dated: August 8, 2006

/s/
Brendan P. Cullen (SBN 194057)
SULLIVAN & CROMWELL LLP
1870 Embarcadero Road
Palo Alto, CA 94303
T: (650) 461-5600
F: (650) 461-5700

Daryl A. Libow
SULLIVAN & CROMWELL LLP
1701 Pennsylvania Avenue, NW
Washington, DC 20006

Attorneys for Defendant British Airways Plc

Dated: August 8, 2006

SIMPSON THACHER & BARTLETT LLP

/s/
Harrison J. Frahn (SBN 206822)
SIMPSON THACHER & BARTLETT LLP
2550 Hanover Street
Palo Alto, CA 94304
T: (650) 251-5000
F: (650) 251-5002

1 Charles E. Koob (SBN 47349)
2 SIMPSON THACHER & BARTLETT LLP
3 425 Lexington Avenue
4 New York, NY 10017

5

6 *Attorneys for Defendant Virgin Atlantic*
7 *Airways Limited*

8

9 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B), Shirish Gupta*
10 *hereby attests that the signatories' concurrences in the filing of this document have*
11 *been obtained.*

12 PURSUANT TO STIPULATION,
13 IT IS SO ORDERED:

14 Date: August 14, 2006

